



FULL BOARD MEETING MINUTES

August 9-10, 2007

Westin Hotel – Pasadena
191 N. Los Robles
Pasadena, CA 91101
(626) 792-2727

Board Members Present

Lisa O'Connor, M.A., Chairperson
Naomi Smith, Au.D.
Rebecca Bingea, M.A.
Jennifer Hancock, M.A.
Alison Grimes, Au.D.
Carol Murphy, M.A.
Paul Donald, M.D.

Staff Present

Annemarie Del Mugnaio, Executive Officer
Candace Raney, Staff Analyst
George Ritter, Legal Counsel

Board Members Absent

Diana Verdugo, M.S.

Guests Present

Marcia Raggio, Audiology Program Director, San Francisco State University
Beth Lippes, Los Angeles County Office of Education
Stephen Sinclair, California State University Northridge
Ken O'Donnell, California State University Chancellor's Office
Dennis Van Vliet, Audiologist, California Academy of Audiology
Chuck Martinez, Greater Los Angeles Veteran's Administration
Peter Ivory, Audiologist, California Academy of Audiology
Ian Windmill, Ph.D., Chair, Accreditation Commission for Audiology Education
Doris Gordon, Executive Director, Accreditation Commission for Audiology Education
Steve Kramer, San Diego State University
Jacque Georgeson, San Diego State University
Erica Zettner, University of California San Diego
Tess Kirsch, Council on Academic Accreditation, American Speech-Language-Hearing Association
Monica Porter, American Speech-Language-Hearing Association
Yvonne Sininger, University of California Los Angeles
Linda Wanek, Director, Physical Therapy - San Francisco State University
Mary Anne Hanner, Council on Academic Accreditation, American Speech-Language-Hearing Association
Judy Brasseur, Council on Academic Accreditation, American Speech-Language-Hearing Association
Lydia Yu, University of California Office of the President
Mack Johnson, California State University Northridge
Rosemary Scott, Speech-Language Pathologist Instructor, Pasadena City College
Linda Pippert, North American HealthCare

The following guests participated in the meeting via teleconference:
Cathryn Nation, University of California Office of the President

3:00 p.m. Speech-Language Pathology & Audiology Full Board Meeting

I. Call to Order

Chairperson O'Connor called the meeting to order at 3:15 p.m.

II. Introductions

Those present introduced themselves.

III. Approval of meeting minutes for April 12-13, 2007 committee meetings and full Board meeting

The Board discussed minor grammatical edits to the minutes.

M/S/C: Grimes/Smith

The Board approved the April 12 & 13, 2007 Committee Meeting and Full Board Meeting minutes as amended.

IV. Chairperson's Report (Lisa O'Connor)

A. Meeting with the Commission on Teacher Credentialing, July 19, 2007– Discussion Regarding the Necessity of the Clinical Rehabilitative Services Credential for Speech-Language Pathologists and Audiologists.

Ms. O'Connor provided a written report for the Board members, including the following topics:

- **Update on Issue of Universal License**

The Commission on Teacher Credentialing (CTC) held an invitation-only meeting on July 19th to discuss the similarities and differences between the credential issued by the CTC and the license issued by our Board. In 1999, a new law established eligibility for licensed individuals to work in the schools without a credential. Recently, the Legislature has strongly directed the CTC to remove bureaucratic barriers to streamlining credentialing, and this was one of the reasons the CTC called this meeting.

Ms. O'Connor stated that, in preparation for the meeting, she noted her talking points and included a copy of such to the Board members with the Chair's report. The talking points included the following:

1. **Consumer Protection Benefit:** The Board regulates a licensing system that oversees the providers of speech-language and hearing services and it should impose the same standards for all settings.

2. For many years, the California Speech-Language-Hearing Association (CSHA) has suggested that the existing systems for speech-language pathologists were duplicative, cumbersome, complicated, and unnecessary (Capitol Update, CSHA, Fall 2006). The Board definitely agrees. While holding both a credential and a license is not mandatory, the existing system encourages new graduates to pay for and undergo two complex application processes, two distinct sets of renewal standards and fees, and adherence to two separate controlling practice laws and regulations.
3. It is confusing to the consumer to discern whether the separate authorizations denote a difference in training or professional ability, which they do not.
4. The Legislative Analyst Office (LAO) report of April, 2006, *Modernizing the Functions of the CTC*, raises issues of reform and simplification in credentialing. Simplifying and utilizing the license for speech-language pathologists (SLPs) in all settings would be in concert with the LAO recommendations.
5. When establishing regulations for the use of speech-language pathology assistants (SLPAs), California adopted a uniform standard for all settings including the public schools. However, SLPAs who work under the supervision of independent practitioners are subject to a uniform licensing standard but, dependent on work setting, their supervisors may not be.
6. The Board office continues to receive inquiries from consumers, professionals, students, and universities over confusion about the multiple personnel standards and regulations, supervision standards, service responsibility, complaint processes, etc. California consumers, institutions, and the professions would be better served with a single system of licensing.
7. Elimination of duplicative governmental oversight should result in a cost savings to the state and will definitely relieve SLPs from incurring the costs of two practice authorizations.
8. Eligibility for working in the schools with a license only was established in 1999 with the passage of AB 466.
9. Speech-language pathologists in California graduate from the same university training programs accredited by the Council on Academic Accreditation (CAA) of the American Speech-Language-Hearing Association (ASHA). These graduates are all trained to provide speech-language pathology services to children and adults in all settings.
10. The profession does not make a distinction between educational speech-language pathology, medical speech-language pathology, and clinical speech-language pathology. All training programs, whether state universities or private universities, are accredited by and adhere to the CAA. Such standards require students to demonstrate competencies in a minimum of nine areas, and the programs must document that the students gain experience and basic competency across the age span, including children and diverse populations. Not unlike other professions, speech-language pathologists desiring to specialize in a particular population may require additional education, training, and/or experience to gain special competencies.

Ms. O'Connor stated that she distributed a copy of the Board's sunset discussion item regarding support for a universal license for all speech-language pathologists to the meeting attendees and elaborated on the Board's documented position in support of one standard. Ms. O'Connor stated that

she was the “lone voice” at the meeting in terms of supporting universal licensure, and commented that most of the professional attendees were from a university or public school setting and felt strongly that the CTC credential is needed to ensure proper training for those choosing school settings as their career path. Ms. O’Connor reported that Mike McKibbon, a Commission member, chaired the meeting and asked everyone to report their recommendations. Most, if not all, recommended maintaining a credentialing system, and some expressed interest in maintaining credential waivers. Ms. O’Connor reported that other suggestions offered included the following:

1. Creating paid internships in lieu of student teaching.
2. Encouraging training programs to blend the requirements for the credential and the license.
3. Elimination of the California Basic Educational State Test (CBEST) for those who have taken the GRE.
4. Creating an opportunity for BA-level people to work in the schools while they complete their graduate work, or creation of a fast-track credential program so that students could be credentialed one year following the BA.

Ms. O’Connor reported that both she and Judy Montgomery, a professor from Chapman, expressed concern about placing lesser trained speech-language pathologists in the public schools and, once again, creating disparity between the competencies of school-based practitioners and those in the private sector. Ms. O’Connor stated that she believed many of the suggestions relative to developing an abbreviated training model are driven by the critical shortages of speech-language pathologists in the schools and a desperate attempt to fortify the workforce as quickly as possible.

Ms. O’Connor stated that, as a former faculty member and a member of the program training director group, the programs would go out of their way to assure appropriate training for all work settings. The student is their customer, and it would not make sense to tailor a program so that graduates were not eligible for employment in all settings. Thus, public school externships would continue, as would coursework relevant to service in the public schools. She stated that the California Council of Academic Programs in Communicative Sciences and Disorders (CAPCSD) group met in March, 2007, in Long Beach, and the consensus of these training directors was that they would like to see one system and avoid the cumbersome and expensive process of various accreditation groups. She reiterated that the training programs are willing to institutionalize course work and clinical training that would assure that all students are trained for school services. Ms. O’Connor reported that one example of this is at California State, Los Angeles, where education courses and clinical internships in the public schools have been made a part of the Master’s Degree contract; taking the courses and completing the clinical experience relevant to the public schools is not an option, but is a requirement for the Master’s Degree.

Ms. O’Connor reported that the discussion was informative and, in part, followed the “discussion agenda” that was distributed at the meeting. She stated that the attendees were encouraged to send any additional recommendations to Mike McKibbon and Jan Jones Wadsworth or to the CTC. Ms. O’Connor suggested that the Board send a letter to the CTC thanking them for the invitation and reiterating some of the points regarding the rationale for supporting a uniform standard.

- **ASHA – transition to new Governance structure**

Ms. O’Connor reported on the administrative governance transition of ASHA, as detailed in her written Chair’s report.

- **Board Participation in CSHA and CAA**

Ms. O'Connor reported that the Board will continue to be involved with the annual conferences of the California Academy of Audiology and CSHA. She stated that she recently submitted a proposal for the 2008 CSHA convention program, which will be a joint presentation of members of the ASHA Legislative Council and representatives from the Board.

M/S/C: Grimes/Murphy

The Board delegated to Chairperson O'Connor, with input from Ms. Del Mugnaio, the task of developing a letter to send to the CTC regarding the Board's documented support for eliminating the requirement that speech-language pathologists and audiologists hold a separate credential to provide services in the public school, and to express the Board's position regarding transitioning to one uniform license for all work settings.

V. Executive Officer's Report (Annemarie Del Mugnaio)

A. Department of Consumer Affairs Internal Audit Final Report

Ms. Del Mugnaio provided a brief summary of the written Executive Officer's Report as included in the meeting packets.

Department of Consumer Affairs (DCA) Internal Audit Process

Ms. Del Mugnaio referenced the finalized Department's audit report included in the meeting packets. She stated that the Board fared well in the internal audit with the exception of its cashiering procedures and internal controls. Ms. Del Mugnaio reported the following, as identified in the audit report:

The Board pays the Medical Board to provide cashiering services under a shared-services contract, and such services should be in compliance with state guidelines. However, several concerns were noted with the manner in which the Medical Board is handling cash receipts and with the procedures the Board has employed to transfer monies to the Medical Board for processing. Currently, the Board has implemented a number of safeguards, as recommended by the departmental auditors, and is taking steps to assume responsibility for all of its cashiering functions. In addition, the DCA auditors identified a potential public safety risk in issuing temporary licenses to required professional experience (RPE) candidates prior to receiving all academic and clinical supporting documentation. Currently, the Board issues a temporary license to an individual who is completing the professional experience upon receipt of the application (which includes a self-certification of academic and clinical requirements), fees, and fingerprint clearance. Applicants are requested to have all supporting documentation delivered to the Board within 90 days of submitting the initial application form. Several applicants do not adhere to this requirement; however, the Board has no regulatory authority to penalize or suspend the temporary license for failure by the applicant to submit supporting documentation within the first 90 days. Auditors suggested that the Board seek such authority.

The DCA auditors will conduct a 180-day audit and 360-day follow-up audit to determine whether the Board has taken steps to rectify the noted deficiencies.

B. 2006-2007 Annual Report

2006-2007 Annual Report Statistics

Ms. Del Mugnaio stated that the Board's annual report summary and statistics, as submitted July 23, 2007 to DCA, are included in the meeting packets.

The annual report provides statistical information regarding each of the regulatory agencies under the DCA. This information is compiled into a single report by the DCA and posted to its website.

Ms. Del Mugnaio pointed out that, recently, California has obtained the majority of its licensed audiologists from out-of-state.

C. Budget Update/Out-of-State Travel Funding Approval

Ms. Del Mugnaio explained that, to date, the Board has no spending authority, as the state budget has not been passed. This means that the Board cannot purchase any supplies or equipment, pay any invoices, or reimburse any travel expenses. This will become more of an issue in terms of the Board's general operating necessities if the budget impasse extends another month. She stated that budget expenditures through June 30, 2007 were included in the meeting packets.

Ms. Del Mugnaio stated that the budget resources in FY 06/07 were extremely limited due to the considerable increase in attorney general (AG) activity and expenses in the past 2 years (9-12 cases, as opposed to the typical 3-4 cases in previous years). The Board spent more than \$95,000 in enforcement costs in FY 06/07. The AG budget has historically been insufficient, even with a case average of 5 per year. Ms. Del Mugnaio will discuss opportunities to request additional funding enforcement expenses through the Budget Change Proposal (BCP) process with DCA budget staff after the close of FY 07/08.

Ms. Del Mugnaio explained that the Board has submitted a BCP for FY 08/09 to assume responsibility for its cashing functions and, thus, discontinue paying the Medical Board for the services through a shared service contract. The BCP includes a request to retain the contract funding in the Board's budget even though it will handle its own cashing duties, as the funding can be used to pay temporary help who will be hired to assist with operational needs when existing staff assumes the additional responsibility of in-house cashing.

Ms. Del Mugnaio reported that the Board was approved to send one person to the National Council of State Board's (NCSB) to be held October 4-6 in San Antonio, Texas. She stated that there is a possibility that both she and Chairperson O'Connor may be attending the NCSB, as Chairperson O'Connor may travel as a representative of the NCSB. Ms. Del Mugnaio reported that she would be attending to represent the Board.

D. Status of Rulemaking Files

1. Speech-Language Pathology Assistants BA Applicants/Work Experience Equivalency (California Code of Regulations 1399.170.11)

Ms. Del Mugnaio reported that the speech-language pathology assistant (SLPA) regulation revisions have been adopted by the state and are in effect. As such, individuals who have a bachelor's degree in

speech-language pathology and/or communication disorders may now apply for registration with the Board if the individual possesses the requisite work experience as defined in the regulations. She stated that the new provisions also authorize training program directors within the undergraduate training programs to certify completion of clinical hours for the purposes of SLPA registration.

2. Qualifications for Clinical Supervisors of Students and Individuals Completing the Required Professional Experience

Ms. Del Mugnaio stated that, while the Board had authorized her at the April 12-13, 2007 Board meeting to move forward with the regulation proposal to change the supervisor qualifications for individuals supervising temporary license holders completing their RPE, she was reluctant to file the proposal, as she was concerned that many supervisors in the field may not meet the proposed five years of supervisory experience criterion. Ms. Del Mugnaio stated that she had an opportunity to discuss the proposal with a few training program representatives who commented that the proposal would definitely limit the pool of available supervisors. Ms. Del Mugnaio suggested that the Board discuss the regulation proposal with representatives from the program accrediting bodies and the training institutions the following day, as these individuals would have knowledge and experience with employing and setting appropriate standards for speech-language pathology and audiology supervisors. The Board tabled the discussion for the following day to discuss the proposal with the aforementioned representatives under agenda item VIII.

M/S/C: O'Connor/Smith
Abstain: Hancock

The Board voted to amend the previous regulation proposal and eliminate the language that defined a qualified supervisor as one who holds five years of professional experience and, instead, require that all supervisors who are providing supervision to RPE candidates must hold legal authorization to practice in the state where the experience is being obtained, must have completed not less than six hours of continuing professional development in supervision training prior to assuming responsibility as an RPE supervisor, and must acquire three hours of continuing professional development in supervision training every two years thereafter.

E. Continuing Professional Development (CPD) Audit Update and New Frequently Asked Questions

Ms. Del Mugnaio explained that the new CPD Frequently Asked Questions (FAQs) are available and have been posted on the Board's website. A mass mailing to all licensees should occur once the budget is signed.

Ms. Del Mugnaio also referenced the 2007 CPD audit status update, as included in the meeting packets.

F. Website Changes

Ms. Del Mugnaio stated that the Legislature and the Governor's Office have directed all state agencies to change the content, format, and design of their respective websites. Specifically, the mandates call for easier navigation to licensing and consumer-related information, the inclusion of FAQs for application processes and licensing questions, directions on how the public may participate in governmental matters and processes (e.g., board meetings and regulatory action), and public access

to on-line complaint filing. Ms. Del Mugnaio has outlined the necessary changes to the SLPAB website and has forwarded the request for website modification to the DCA Internet Team. In addition, both Ms. Del Mugnaio and Lori Pinson, Licensing Analyst, will meet with the Manager of the DCA Internet Team to discuss other aesthetic changes. To view the new internet design, individuals may log on to the websites of the Office of Systems Integration at <http://www.osi.ca.gov/>, as well as the Office of Administrative Law at <http://www.oal.ca.gov/>.

Ms. Del Mugnaio also explained that the Board will begin posting Board disciplinary actions on its website.

G. California Speech-Language Hearing Association Board Meeting Presentation – June 22, 2007

Ms. Del Mugnaio stated that she spoke at the CSHA board meeting held on June 22, 2007. She explained that she provided the group information regarding the new CPD requirements and distributed the new CPD FAQs. She also provided information to the group regarding recently adopted regulation changes regarding SLPA registration criteria and the ability for BA degree holders to qualify for SLPA registration on the basis of work experience, as well as the proposed regulatory changes to the clinical supervisor qualifications.

Ms. Del Mugnaio stated that her primary focus in addressing the CSHA board was to request input and assistance in examining issues surrounding foreign-trained practitioners and the identified lack of academic and/or clinical preparation and general social/language skills of applicants from specific foreign countries. Ms. Del Mugnaio stated that she explained to the group that the Board is discussing the issue during the Board meeting and should consider whether further licensing controls should be considered.

Ms. Del Mugnaio stated that the CSHA board members inquired about such issues as on-line licensing features, CPD audits, and Board member vacancies.

H. Update on Board Action Items

Ms. Del Mugnaio provided a chart noting the progress on the Board action items from the prior meeting.

The Board discussed the letter sent to ASHA regarding its concerns with the issuance of the Certificate of Clinical Competence (CCC) to individuals who have not taken and passed the Praxis examination within five years from the date of application or reapplication for the CCC.

Ms. Del Mugnaio explained that this is the second letter within the past four years that the Board has directed to ASHA regarding its concerns with ASHA's inconsistent enforcement of the certification criteria. Ms. Del Mugnaio reported that ASHA responded to the Board's letter of concern on August 2, 2007, and clarified the certification and recertification process, noting that the provisions requiring an applicant for the CCC to have taken and passed the national Praxis examination within the past five years was in effect in December, 2005. The letter also addressed audiology certification standards, and stated that audiologists may still apply for the CCC based on the 1993 certification standards through December 31, 2007. It was unclear in the ASHA letter as to when the new 2007 audiology certification standards would be enforced for individuals seeking to recertify through ASHA.

Ms. Del Mugnaio stated that she would follow up with ASHA on the audiology recertification standards.

I. Miscellaneous

Ms. Del Mugnaio reported on the Board's office relocation schedule and stated that the move should occur in early December, 2007.

Ms. Del Mugnaio reported that Beth Scott, who briefly served as the Board's enforcement analyst, has accepted employment as a new manager in another agency. She stated that Ms. Candace Raney has graciously agreed to return to the Board and serve as the enforcement analyst through the remainder of the year, until a new incumbent can be recruited.

Ms. Del Mugnaio reported that, because the DCA auditors noted deficiencies in the Board's strategic plan as developed under the facilitation of the Department, the Board must amend or rework portions of its plan. She stated that she will work with the Department to select a new facilitator and will schedule a future strategic planning session with the Board.

Ms. Del Mugnaio reported that the Board will be working with the Office of Examination Resources (OER), the examination development and validation office of the Department, to conduct the examination validation studies for both the speech-language pathology and audiology examinations. Ms. Del Mugnaio stated that she will be meeting with an examination specialist from OER within the next few months to finalize the schedule for conducting the two studies. Ms. Del Mugnaio stated that she will be seeking subject matter experts from both disciplines to serve on the examination validation panels. She requested that the Board members speak to their colleagues about the project to generate interest in serving in this capacity.

V. Legislation

Ms. Del Mugnaio provided a written legislation report to the Board and briefly reviewed each initiative with the Board.

A. SB 963 – SLPAB Sunset Extension

Ms. Del Mugnaio reported that the legislative proposal would make significant changes to the existing sunset review process for all boards. The bill is now a two-year bill to provide time for the Legislature and the Administration to negotiate the proposal and possibly eliminate the automatic cycle of sunset review for all boards and solely focus on boards that have operational or governance issues. Ms. Del Mugnaio stated that she spoke with Bill Gage of the Senate Business and Professions Committee in late July 2007, who confirmed that the Board's sunset extension language will be added into SB 797 after the Legislative recess, which ends August 20, 2007.

B. AB 962 Houston – Speech-language pathology paraprofessionals – Board supported

Ms. Del Mugnaio reported that this bill was reviewed by the Board at the April 12-13, 2007, meeting when the Board voted to support the bill. She stated that AB 962 was amended on July 5 and 25, 2007, and now creates a study group directed by the California Postsecondary Education Commission to assess and discuss issues relating to the creation of additional speech-language pathology assistant training programs. The

study group must include key stakeholders such as the Board, CSHA, the California Schools Employee Association, and the Association of School Administrators. The bill states that a findings report must be produced to the Legislature by June 1, 2008.

Ms. Del Mugnaio noted the following written comments provided by Robert Powell of CSHA:

Originally, SCR 40 was intended to alert legislators of the speech-language pathology personnel shortages. When Assembly member Houston's staff wanted to create more flexibility for schools to hire more speech-language pathology professionals and remove caseload restrictions, CSHA opposed the proposal by suggesting the legislative efforts focus on ways to create more training programs for speech-language pathology paraprofessionals, especially in northern California. Thus AB 962 incidentally became a companion bill to SCR 40.

CSHA has also utilized and will continue to utilize both bills to educate governmental officials on the issues of the profession's personnel shortages and need for solutions and options to this growing problem. For example, SCR 40 will help convince legislators for the need of AB 359, the student loan forgiveness program for speech-language pathologists, and AB 962, the SLPA study bill, will assist in educating the Department of Education staff and school districts about the appropriate use of "licensed" SLPAs.

C. AB 359 Karnette – Student Financial Aid: Assumption Program for Education Loans– Board supported

Ms. Del Mugnaio reported that the bill was reviewed by the Board at the April 12-13, 2007 meeting where the Board voted to support the bill. She reported that the bill was amended on June 1, 2007, and expands eligibility for the Assumption Program of Loans for Education (APLE) to include persons pursuing service credentials in speech-language pathology K-12. She reviewed the documented bill analysis and extracted pertinent sections for Board review:

[From bill analysis] 6) Premature response? Staff is not clear to what extent there is a shortage of credentialed school pathologists rather than licensed speech pathologists. The CTC, recognizing that the training programs for the two types of speech pathologists are basically identical, is convening a discussion group to explore merging the two groups. To the extent that this might address school's needs, is this bill premature?

7) Why the shortage? Some say a shortage of credentialed speech pathologists is primarily due to a lack of capacity to enroll all eligible applicants at the existing 14 CTC-approved preparation programs. CTC indicates that they have three additional universities ready to begin new speech pathology programs but CTC is unable to review them for approval because the programs have not yet been reviewed for accreditation by the national association. It is staff's understanding that these new programs have been waiting for more than two years for the national association to act. To what extent is a delay by the national association affecting California's capacity to prepare more speech pathologists? Staff recommends that this be discussed.

8) Current APLE benefit levels may not make sense. Teachers participating in APLE are eligible for a maximum benefit of \$11,000 for four years of service. This is increased to \$15,000 if they teach math, science or special education and to \$19,000 if they teach these subjects in a school with an API score of 1 or 2. Because speech-pathology is a type of special education service, it appears that speech-pathologists would, at a minimum, be eligible for \$15,000 in loan assumption benefits. Further, speech-pathologists generally provide service at multiple school sites often serving 5 or more schools. Providing as little as 10%-20% of their time at an academic performance index 1 or 2 school would make them eligible for the

\$19,000 benefit. Does the existing varied benefit structure for teachers make sense for speech pathologists? Should speech-pathologists be provided a fixed amount of loan assumption benefit? Should speech-pathologists be required to provide a minimum threshold of service at low-API schools in order to be eligible for the maximum loan assumption benefit? Staff recommends that these issues be addressed.

9) Technically inoperative. The bill appears to intend to allow credentialed school district personnel who provide speech-pathology services to participate in the APLE program. However, there are several provisions in the bill which appear to require "classroom instruction" rather than "speech-language pathology service" in order for a participant to receive a loan assumption payment (e.g. page 8, lines 31-33) thereby rendering it impossible for a non-teacher to successfully participate in the program. Staff recommends that this be addressed.

10) Related legislation. This Committee previously heard and passed SB 377 (Aanestad) which would deem a license issued by the Speech-Language Pathology and Audiology Board as being equivalent to a credential issued by the CTC for purposes of employment and services to a K-12 district.

D. SB 557 Worker's Compensation: Audiologists

Ms. Del Mugnaio stated that SB 557 was amended on July 19, 2007, and would include doctors of audiology who are licensed and who meet specified requirements among medical professionals deemed "qualified medical evaluators" (QMEs) for the purposes of evaluating worker's compensation claims involving hearing loss. She reported that the bill will be heard in the Assembly Appropriations Committee once the Legislature reconvenes from the summer recess on August 20, 2007. Ms. Del Mugnaio stated that the Board has not taken a position on SB 557, as the bill was not included on the April 12-13, 2007, meeting agenda.

Mr. Van Vliet provided an overview of the bill, as sponsored by the California Academy of Audiology. He reported that there is opposition to the bill by the Society of Otolaryngology, Head and Neck Surgery; the California Medical Association (CMA); and the Department of Industrial Relations, among others. Mr. Van Vliet stated that the Department of Industrial Relation's opposition related to an assumption that a separate QME examination would need to be developed for audiologists. He stated that the California Academy of Audiology has communicated to the interested parties to confirm that the Academy is not proposing that a separate examination be developed for audiologists, as they should be subject to the existing QME examination requirements and standards.

Mr. Donald commented that he is opposed to audiologists being defined as QMEs for the purposes of determining compensatory settlements, as this process requires comprehensive medical evaluations taking into account a complete patient medical history, physical examination, and any on-going prescribed medication regimen. He stated that he believed these medical evaluations would be going beyond an audiologist's scope of responsibility and professional expertise.

Ms. Grimes responded and stated that the laws for worker's compensation already include non-physicians: acupuncturists, dentists, psychologists, and chiropractors.

Mr. Donald commented that the CMA should have opposed such legislation to include the non-physician health practitioner as QMEs when it was introduced, and that he does not believe that continuing to perpetuate inappropriate policies under worker's compensation is in the best interest of the program.

Ms. Grimes stated that the issue of whether audiologists should be added to the program should not be one of a turf battle but should be examined from a consumer access and protection standpoint. She further stated that the Veterans Administration (VA) recognizes audiologists as the qualified examiner to conduct compensation and pension evaluations for hearing impairments and has a detailed model reflecting such policies. Ms. Grimes reported that she testified to this fact at an early Senate policy hearing on SB 557 that successfully defused the CMA's opposition asserting that this would be an expansion of audiologists' scope of practice. She inquired as to which QME practitioner would be "qualified" to conduct the worker's compensation evaluations to determine hearing impairments, if not the audiologist.

Mr. Ritter stated that it would have to be a physician, as the other practitioners included in the definition of a QME are not qualified or licensed to engage in hearing assessments. He further stated that inclusion in the worker's compensation provisions does not authorize anyone to expand their scope of professional practice.

Mr. Donald commented that the qualified provider would likely be an otolaryngologist, as many general practice physicians would not have the interest or experience to perform hearing impairment medical evaluations.

Ms. Grimes responded and stated that this is an access issue, as there are clearly not enough otolaryngologists in the worker's compensation system to provide the necessary services.

Ms. Hancock commented that this should be managed in a team environment with the physician overseeing the referral to the audiologist or other health care provider depending upon the nature of the physical impairment.

Charles Martinez reported that he is not aware of any documented consumer harm reported in the VA system as a result of an audiologist conducting the compensation and pension evaluations.

The Board adjourned the meeting at 6:00 p.m. and tabled the remainder of the discussion of SB 557 until the following day.

The Board reconvened the full Board meeting at 8:35 a.m. on August 10, 2007.

M/S/C: O'Connor/Hancock

Oppose: Bingea opposed motion to remain neutral- on record as supporting the bill.

The Board voted to take a neutral position on the bill, following further discussion of SB 557 and testimony from the California Academy of Audiology.

E. Administrative Legislative Proposals (AB 721, AB 865, AB 1135, SB 618, AB 1393, and AB 1025)

Ms. Del Mugnaio reviewed the status of the following administrative legislative bills:

- **AB 721 – Maze - Public Records: Requests by the Legislature - Held Under Submission**

This bill would require that a state agency provide a response to a Legislative request for public records within three days of receiving the request, notifying the Legislature whether the documents are public records and thereby permissible for disclosure under the Public Records Act. This bill would shorten the agency's mandatory response timeframe from 10 days to three days.

- **AB 865 - Davis – Live Consumer Service Agents**

Amended on April 23, 2007 - Existing law requires each state agency to establish a procedure whereby incoming telephone calls on any public line shall be answered within 10 rings during regular business hours, subject to certain exceptions. This bill would require each state agency to answer an incoming call with a live customer service agent, *or automated telephone answering equipment with a prompt that allows a caller to select an option to speak to a live customer service agent*, subject to certain exceptions (field offices, telephone lines dedicated as hotlines for emergency services, or telephone lines dedicated specifically to provide general information, etc.) The bill has not moved out of its house of origin and may not be acted upon this Legislative cycle.

- **SB 618 Alquist - Electronic Records - Held under Submission**

Existing law, the Administrative Procedure Act, authorizes state agencies to publish, distribute, or deliver various notices and documents required by the act by electronic mail or other electronic communication. This bill would require each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format. It would apply this requirement to any document or writing containing information relating to the conduct of the people's business that is prepared, owned, used, or retained by any state agency that is not already in an electronic format.

- **AB 1135 Strickland - State government: reports: declarations**

Amended on April 17, June 13, and July 3, 2007: Existing law generally sets out the requirements for the submission of written reports by public agencies to the Legislature, the Governor, the Controller, and state legislative and other executive entities. This bill would require any of these written reports required to be submitted by any state agency to include a signed statement by the head of the agency or department declaring that the contents of the report are true, accurate, and complete to the best of his or her knowledge. This bill would also make any person who declares as true any material matter pursuant to these provisions that he or she knows to be false liable for a civil penalty not to exceed \$20,000. The bill will be heard in Senate Appropriations upon the Legislature reconvening from the summer recess on August 20, 2007.

- **AB 1393 Leno/Maze – Public Records**

Amended on April 11, June 28, and July 17, 2007: This bill would, as of July 1, 2009, require any state agency that publishes an Internet Web site to include on the homepage of that site specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form for submitting online requests for records. It would authorize any person to bring an action to enforce the duty of a state agency to post this information and would provide for penalties, including monetary awards, to be paid by the agency, with specified provisions to become operative on January 1, 2009. The bill would also authorize a person to request the Attorney General to review a state or

local agency's denial of a written request to inspect or receive a copy of a public record and would require the Attorney General to issue a written decision within 20 working days of the date the written request and written response or lack of response of an agency is received by the Attorney General. This bill would require the Attorney General to maintain copies of the opinions issued pursuant to the provisions, to publish the opinions annually, and to post such opinions on the Internet. The bill requires the Department of Justice (DOJ) to convene an advisory task force, with a specified membership, to consider specified issues with respect to a statutory standard governing the posting of certain activities under the act, and to report its findings and recommendations to the Governor and the Legislature by no later than January 1, 2009. The bill will be heard in Senate Appropriations upon the Legislature reconvening from the summer recess on August 20, 2007.

- **AB 1025 Bass – Professions and vocations: denial of licensure upon conviction of a crime - Board opposed**

Amended on April 16, May 31, and July 5, 2007 - This bill would provide that a person may not be denied licensure or have his or her license suspended or revoked based solely on a criminal conviction that has been dismissed on specified grounds or if the person has been rehabilitated, as specified, unless the Board provides substantial evidence justifying the denial suspension or revocation. The bill would also provide that an arrest more than one year old does not constitute grounds for denial of a license pursuant to the above provisions if no disposition is reported. This bill would require the Board to provide a copy of the criminal history record to an applicant or ex-licensee whose application has been denied or whose license has been suspended or revoked based upon a crime. This bill would require the Board to maintain information regarding the criminal history records and make such information available to the DOJ and FBI upon request, and would require the department to prepare an annual report to the Legislature documenting the Board's denial, suspension, or revocation of licenses based on the bill's provisions. The bill will be heard in Senate Appropriations upon reconvening of the Legislature from the summer recess on August 20, 2007.

F. SB 83 Medi-Cal Trailer Provisions - Purchase of Hearing Aids

Ms. Del Mugnaio reported that the budget trailer bill would require that, as of June 30, 2008, the Department of Health Services (DHS) enter into exclusive or nonexclusive contracts on a bid or negotiated basis for purchasing hearing aid appliances (hearing aids). Information regarding the negative impact of the trailer language as provided by opponents of the bill state that a sole entrepreneur is attempting to monopolize the Medi-Cal supplier source for hearing aids by offering to serve as an intermediary between the Department of Health Services and hearing aid providers, giving the state an opportunity to obtain hearing aids at a bulk discount and making the equipment more affordable to California Children Services (CCS) and Medi-Cal clients. The opponents contend that one individual has been lobbying for an exclusive contract with DHS for several years; however, in the past, DHS has not been supportive of an exclusive contract. The opponents argue that the new provisions would severely limit access and choices of instrumentation available to the CCS patients and may further deter audiologists from serving the Medi-Cal population if the practitioner cannot provide the most appropriate amplification to their patients due to limited options under the exclusive agreement. Further, arguments in support of the new provisions are based on false information in that CCS and Medi-Cal patients do not pay for hearing aids, and so the premise that an exclusive contract can make the instrumentation more affordable to Medi-Cal and CCS clients is a misrepresentation. There may be a slight administrative savings to the state (DHS), but such savings do not outweigh the negative impact of the new provisions in terms of the potential limiting of available devices to Medi-Cal and CCS clients under the exclusion contract.

Ms. Del Mugnaio reported the written comments from Robert Powell regarding SB 83: *CSHA argued that while we believe the CCS and Medi-Cal program is dysfunctional with both fees and audits so negative as to discourage provider participation, the recommendation for a sole-source contract needs further discussion among all stakeholders to preclude additional negative incentives on provider participation.*

Ms. Grimes stated that, if the new contracting system were to improve the current billing and reimbursement issues under CCS, then more audiologists may be willing to provide services under Medi-Cal. She inquired whether the provisions would require a competitive bid to be awarded the sole-source contract.

Ms. Raggio indicated that the California Academy of Audiology and the Hearing Health Care Providers met with DHS regarding the bill. She stated that DHS did not appear to be supportive of the exclusive contract process. She further stated that the professed claim of cost savings to the state in excess of \$14,000,000 by the individual lobbying to be the intermediary may be grossly exaggerated and will definitely impact the available selection of hearing aid devices under Medi-Cal and CCS. Ms. Raggio stated that, unlike the untimely reimbursement issues within the CCS system, the Medi-Cal reimbursements are issued to providers within 30-60 days.

Ms. Del Mugnaio stated that there is not an opportunity for the Board to voice its concerns with the new provisions, as the budget trailer language will take effect upon the Governor's approval of the budget. She did state that she would follow up with DHS on the status of the implementation and will report to the Board regarding the DHS implementation plan.

G. Other Legislation of Interest to the Board

- **SB 377 Aanestad – Schools: Certificated Employees - Board supported**

Ms. Del Mugnaio stated that the Board is on record as supporting SB 377; however, the bill was hijacked on July 2, 2007, and now deals with highways and information signs.

Ms. Del Mugnaio stated that, prior to the amendments of July 2, 2007, SB 377 would have permitted a school district to contract with or employ a licensed speech-language pathologist and acknowledge the license as equivalent to the rehabilitative services credential issued by the Commission of Teacher Credentialing (CTC) for the purposes of permanent employment status and bargaining unit inclusion. She explained that the provisions state that the licensed speech-language pathologist would not be authorized to teach courses related to core instruction and would be required to complete continuing professional development related to assessing and serving children with disabilities who are ESL prior to being considered for permanent employment status.

Ms. Del Mugnaio stated that, in her discussions with Robert Powell, he reported that the decision to pull the language of SB 377 surrounded CTC's current discussions regarding whether credentialing of speech-language pathologists is necessary to ensure adequate preparation for school-based practitioners. Robert Powell indicated, in his discussion with Ms. Del Mugnaio, that CTC staff inquired whether the license should be the sole state personnel process for speech-language pathologists, which raised concerns from school administrators about the threat of elimination of credential waivers for speech-language pathologists. CSHA's intent with SB 377 was initially to resolve the permanent employment status issue under existing Education Code 4483, but when suggested amendments complicated discussions, CSHA re-visited previous

reciprocity proposals and decided to amend SB 377 to accomplish streamlining of practice authorizations. CSHA has long argued for a simplification of the personnel standard primarily through alignment of the three speech-language pathology authorizations systems: the CCC, licensing, and credentialing. Rejection of a reciprocity proposal by both the Board and CTC a few years ago led to a compromise and the acceptance by the Board of the CCC equivalency provisions, as well as the amendment to the Education Code 44831 allowing schools to employ licensed speech-language pathologists. Since some CSHA members are also concerned about unintended consequences over proposals that might eliminate credentialing for SLPs, and SB 377 has been tabled for now, CSHA will focus this year on engaging all stakeholders as to common understandings and agreements for solutions to ease personnel shortages.

- **SCR 40 - Chaptered Resolution - Speech-Language Pathologist Shortage**

Ms. Del Mugnaio stated that SCR 40 is a measure that requests the Governor and all state agencies to work together to alleviate the critical shortage of speech-language pathologists in the state. The resolution is a first step in documenting the issue for future action and in providing governmental awareness about the serious nature of the critical shortage. She stated that Robert Powell suggested that all stakeholders utilize SCR 40 in a variety of ways as evidence of the need for new solutions to ease the shortage of SLP personnel.

VIII. Review Legislative Proposal Amending Entry-Level Licensing Requirements For Audiologists & Discussion of the Provisional Licensing of the 4th Year Audiology Doctoral Students Completing the Post Professional Externship

Ms. Del Mugnaio stated that the Board will work with both the California Academy of Audiology and the California Speech-Language-Hearing Association during the 2008 legislative session on supporting legislation to change the entry-level licensing requirements for audiologists to require the doctoral degree in audiology. Ms. Del Mugnaio reiterated that the legislative initiative was included in the Board's sunset review report and recommendations, but was not considered due to the postponement of the sunset review hearings in 2007.

Ms. Del Mugnaio stated that, while the movement to increase the degree requirements for audiology licensure to the doctoral degree is well supported by both state and national professional bodies, there is not consensus on whether to provisionally license the 4th year audiology doctoral (AuD) student during the final externship. She stated that, currently in California, 4th year AuD students are required to hold the RPE temporary license in order to complete the program externship. She commented that there are many arguments on both sides of the issue as to whether these students should be provisionally licensed, and she invited comments by the Board and the public.

Ian Windmill commented that students should not be provisionally licensed since they are students under the auspices of the university training program and have not completed the full course of study or earned the terminal degree. He further stated that these students should not be independent agents negotiating employment agreements since they are the responsibility of the university and are protected under university liability provisions and guidelines. Mr. Windmill stated that the students should not be making independent professional decisions, should not be eligible to bill insurance carriers, and should be directly supervised in the externship setting. He argued that states would not consider licensing second or third year students. Therefore, why would a 4th year AuD student need to be provisionally licensed, as the students are still completing program requirements?

Ms. Del Mugnaio stated that provisional licensing provides a tracking method for the Board to monitor individuals and supervisors providing audiology services to consumers. She stated that, under the current provisions, if a problem were to arise in a particular setting with an AuD student or a supervisor, the Board would be able to directly communicate with the student and the supervisor, as it would have the necessary contact information on record and, more importantly, the legal authority to intervene as deemed necessary. She further stated that provisionally licensed externs, RPE temporary license holders, are recognized providers under Medi-Cal. As such, from a business standpoint, it may be advantageous to employers to hire provisionally licensed 4th year students. Ms. Del Mugnaio reported that the disparity among the states' licensing rules, professional position statements, and extern placement site needs regarding the provisional licensing of the 4th year AuD externs is creating major portability issues in that a student from another state who is not provisionally licensed during the 4th year externship would not qualify for licensure in California, nor could the student be placed at a extern site in California to provide services. She stated that, given the existing professional shortage issues, the Board should work toward removing such barriers yet maintain appropriate consumer protection provisions with respect to tracking such experiences. Ms. Del Mugnaio inquired whether the Board should consider granting an exemption from the RPE temporary license requirements for AuD students who complete their externship in another state, earn the doctoral degree, and then subsequently apply for a license in California.

Mr. Ritter stated that this type of exemption may be problematic in terms of inequality in licensing requirements for those educated and trained in-state versus out-of-state. He stated that he would examine the legal parameters and report his findings to the Board at the October Board meeting.

Ms. Grimes commented that the proposed statutory provisions requiring the doctoral degree as the entry-level licensing standard for audiologists should be sufficient in terms of satisfying that an applicant has completed a comprehensive and closely supervised clinical externship. She further stated that the externship completed according to training program standards is much more restrictive than the state's RPE supervision requirements, in that a supervisor should be directly supervising the extern 100% of the time while patient services are being provided. The externship supervision guidelines promote a more structured experience with greater public safety expectations.

Ms. Grimes offered to send an inquiry to the American Academy of Audiology email listserve requesting information from other states as to whether or not the states require 4th year AuD students to hold a provisional license and whether provisionally licensed students are eligible to bill insurance companies.

Ms. Del Mugnaio inquired from the accreditation representatives of the Council on Academic Accreditation (CAA) and the Accreditation Commission on Audiology Education (ACAE) as to whether the doctoral training model was consistent in training programs across the country in terms of academic units and clinical hours.

Ian Windmill stated that the doctoral training standards are based on outcome measures and are formative standards; therefore, specificity of minimum units or hours is not necessarily consistent among training institutions, nor is it reflective of minimum competency.

Ken O'Donnell echoed Mr. Windmill's statements in support of training models developed based on specified outcome measures and not quantifiable "widgets." He commented that many academic programs are moving in this direction.

Ms. Del Mugnaio explained the difficulty in establishing a minimum licensing requirement with no quantifiable standards. She stated that, without some minimum benchmarks, the Board may find it difficult to consistently enforce an objective entry-level licensing standard. She further stated that the formative approach to training may place a great deal of importance on the only quantifiable measure: passage of the national licensing examination.

Ms. Grimes stated that the accrediting organizations should be determining program quality and, therefore, graduation from an accredited program should provide the assurance that the individual has at least met the established minimum entry-level training standards.

Ms. Del Mugnaio commented that the variation in training standards of some of the accredited doctoral training programs across the country is quite significant and it's difficult to conclude that all programs are achieving similar outcomes with such distinctly different requisite academic units and clinical hours.

IX. Status of the Development of the Audiology Joint-Doctoral Training Programs in California and Discussion of Administrative and Program Accreditation Issues - (*Representatives from the University of California, California State University, Training Program Faculty, the Council on Academic Accreditation, and the Accreditation Commission on Audiology Education, to be present*)

Cathryn Nation from the University of California Office of the President (UCOP) reported on the status of the development of the two new joint audiology doctoral training programs in California: University of California San Francisco (UCSF)/San Francisco State University (SFSU) and University of California Los Angeles (UCLA)/California State University, Northridge (CSU Northridge), as well as the expansion of the existing audiology joint doctoral program at University of California San Diego (UCSD) and San Diego State University (SDSU). She stated that the new doctoral training programs are on schedule to enroll students by fall 2009, pending any delays in the program accreditation process. She provided an overview of the funding model for the new programs as follows:

- a. The state funding for the students is allocated at the UC marginal costs, which provides for higher state funding.
- b. One-third of the registration and administration fees will be allocated to financial aid.
- c. Commitment from the Provosts at the participating campuses to return all program revenue to the audiology program for the first five years.
- d. UC is continuing to work with CSU on solidifying the professional fees that will be charged to enrolling students and during which of the four years the student will be paying the professional fees.
- e. The budget projections for these new programs does not forecast a solvent financial base for the first five years of program operation, even with the estimated cost per student at roughly \$17,000 per year.
- f. UC preliminary discussions regarding launching one audiology doctoral program as opposed to two programs at the same time would have resulted in lower marginal costs; however, this was not a negotiated agreement between the CSU and UC.
- g. UC is committed to ensuring that the program infrastructure is well supported and that the training quality is of the highest standard.

- h. UC will continue to work with the Department of Finance and the Administration to seek other means of greater state support to off-set the student tuition costs.

Ken O'Donnell from the CSU Chancellor's Office stated that the CSU's mission is to provide access to professional training opportunities and to attract a diverse student body to its universities by providing such education at reasonable costs. He commented that the proposed tuition costs for the audiology doctoral training programs are of significant concern to the CSU and that the CSU is hopeful that other state subsidy will be identified to offset the high tuition. Mr. O'Donnell stated that the accreditation timelines are also of concern in that these programs are still in the process of seeking state and regional accreditation, which is a lengthy process in and of itself. He asked that the accrediting bodies provide some flexibility in the accreditation process to enable the new programs to meet the fall 2009 student enrollment date. Mr. O'Donnell reported that the CSU is committed to these programs launching in 2009 and will work with state and regional accreditors to that end. He suggested that CSU may be interested in expanding the audiology training opportunities to other campuses in the future.

Ms. Tess Kirsch of the Council on Academic Accreditation (CAA) stated that the CAA is in the process of implementing new candidacy review standards that will take effect in 2008. She explained that, until the new accreditation applications and materials are available, which should be sometime in early October 2007, there is a moratorium on submitting accreditation applications. Ms. Kirsch stated that programs should plan on submitting applications for accreditation at least 18 months prior to the student enrollment date to ensure ample time to achieve the candidacy status. She explained the benchmarks of the new candidacy review that includes readiness reviews to determine the program's documented viability, and that eligibility conditions, such as state and regional accreditation, has been obtained. She explained that programs must agree not to enroll students until candidacy status has been awarded by the CAA. Ms. Kirsch stated that an application for accreditation should be submitted by February 2008 in order to meet a student enrollment goal of fall 2009. She further explained that state and regional accreditation must be secured prior to the program submitting application. Ms. Kirsch reported that accreditation decisions are typically made in March and July of each year.

Ms. Del Mugnaio commented that, based on the requisite CAA timelines, the new joint doctoral training programs may not be able to achieve candidacy status prior to enrolling students in fall of 2009, and the programs are still in the process of seeking state and regional accreditation.

Mr. Steve Kramer commented that prior to a program submitting an application to the regional accreditors, it must be approved by the UC Coordinating Council of Academic Affairs. He stated that the timeline to obtain these approvals is at least nine months.

Doris Gordon of the Accreditation Commission for Audiology Education (ACAE) reported that the ACAE has been working on formulating the doctoral accreditation standards since 2003. She stated that the ACAE is prepared to accept initial developing program applications and to grant an interim accreditation status within approximately twelve months. Ms. Gordon stated that the ACAE can begin working with new audiology programs while the programs are completing other state and regional accreditation applications in order to facilitate an expeditious process, as necessary. Ms. Gordon reported on the ACAE's status in seeking recognition by the United States Department of Education (USDOE) and stated that the USDOE will not recognize a new accrediting body until the organization has accredited two programs that have federal financial aid eligibility. She stated that the ACAE is working toward obtaining the USDOE approval.

Ms. Del Mugnaio stated that there is some flexibility in state regulations with regard to program accreditation; however, the Board is not interested in becoming an oversight body for program accreditation, as this is not within its expertise, nor does the Board have the necessary resources. She further stated that the Board is not supportive of students graduating from unaccredited training programs. Ms. Del Mugnaio stated that the licensing regulations do acknowledge a program in candidacy status as meeting an acceptable accreditation standard.

Yvonne Sininger of UCLA commented on the professional shortage crisis in audiology and requested flexibility in meeting accreditation timelines and state program approval in order to launch the two new training programs. She stated that several of these review processes should be able to be conducted in parallel of one another. Ms. Sininger stated that the new programs must be prepared to market to and enroll students at the same time, as all other institutions are attracting potential students, typically in April, or enrollment in the programs may be lower than desirable.

Ms. Del Mugnaio inquired whether the absence of securing program accreditation prevents a CSU or UC program from enrolling students.

Mr. O'Donnell responded and stated that the universities can enroll students into a program that holds provisional or candidacy accreditation; however, the expectation is that the program will move toward full accreditation within the projected timeframes.

Mary Anne Hanner of CAA provided clarification regarding the program candidacy application process and timelines, and stated that programs should be completing the candidacy application for CAA and the state and regional accrediting applications simultaneously so that, as soon as the state approvals are in place, the program is ready to submit for program accreditation through the CAA. Ms. Hanner stated that the readiness review can begin immediately, and it is at this point when site review schedules and other critical accreditation benchmarks may be calendared in order to meet the student enrollment deadlines.

Marcia Raggio of SFSU commented that one missing component to complete the accreditation applications is the final budget detail for each campus. She stated that the campuses cannot finalize their funding plans until they have a complete budget summary from the UC and CSU.

Ms. Sininger commented that the programs cannot hire additional faculty without a definitive budget, as there is not a reliable means to determine available resources.

Cathryn Nation responded and reported that the UC system's budgets are developed in August and September of each year and are forwarded to the UC Board of Regents for approval in November. Once reviewed and approved by the Board of Regents, the budget proposals are submitted to the Department of Finance and then ultimately the Governor's Office to be included in the state budget plan. She stated that the current UC budget proposal, which will be forwarded to the UC Board of Regents, does include budget detail for health sciences stand-alone and joint-venture programs as specified to date. She further stated that the UC and CSU are still in discussions about program funding and professional fees, but that the budget proposal will reflect the funding needs as identified to date with a notation regarding possible amendments. She agreed that the Board, the professional accrediting bodies, and the training institutions with assistance from the UC and CSU seeking state approvals, are all going to have to work on parallel tracks in order to achieve the aggressive schedules.

Ms. Del Mugnaio reiterated that the uncertainty of the final budget detail does create a major problem for the training institutions to complete the forms required for state accreditation and professional training accreditation and has further delayed progress toward securing these approvals in a timely manner. She invited the UC, CSU, and training program representatives to the October 25-26, 2007 Board meeting to discuss any progress made toward reaching decisions on pending budget issues and accreditation factors. The representatives agreed to participate in the October meeting. The Board revisited the RPE supervision regulatory proposal and discussed whether enforcing a minimum number of years of professional experience for a person to qualify as a supervisor was appropriate.

Representatives from both the CAA and ACAE confirmed that doctoral accreditation standards do not require that supervisors overseeing student in placement sites hold a specified number of years of professional experience in order to be deemed qualified supervisors or preceptors.

The Board discussed the issue of limiting access to practitioners who are willing and capable of serving as competent supervisors if the Board were to establish a requirement for a specified number of years of professional experience to the supervision standards.

Ms. Del Mugnaio reminded the Board that existing regulations do not require supervisors to have a specified number of years of professional practice, and that the new provisions will require on-going exposure to a specified number of continuing professional development hours in supervision training. As such, the new provisions provide for some supervisory criteria beyond licensure.

See Board motion under agenda item V.D.2.

X. Report from Audiology Support Personnel Task Force Meeting – August 9, 2007

Ms. Grimes summarized the meeting discussion and recommendations of the Audiology Support Personnel Task Force as included in the task force meeting minutes.

XI. Discuss Licensing Issues Related to Foreign Educated Applicants

Chairperson O'Connor referenced a letter included in the Board meeting packets from West Contra Costa Schools that outlined concerns regarding the academic and clinical preparation, as well as language barriers, that are evident with some foreign-trained practitioners who are not clinically competent and well-versed in English. Ms. O'Connor stated that the letter requests the Board to examine these issues, as the concerns raised surrounding practitioner competency are of a serious consumer protection matter.

Ms. Linda Pippert commented that this is of grave concern in health care settings where she has experienced working with foreign-educated applicants who have little clinical experience and do not demonstrate adequate competency with special populations, including elderly with swallowing disorders, laryngectomy patients, and other medically fragile clients. She stated that she is somewhat unclear regarding the equivalency licensing standards for foreign-educated applicants. Ms. Pippert stated the ethical standards regarding foreign-trained applicants appear to be lacking in terms of specificity.

Ms. Del Mugnaio stated that it is difficult to determine whether the methods of transcript evaluation need to be more thorough in terms of a course-by-course review to establish equivalence, or whether the clinical experiences in certain foreign countries do not provide the breadth of experience that domestic training

programs offer. She explained that existing licensing provisions require that all foreign-trained applicants must have their transcripts evaluated by a Board-approved transcript evaluation service to determine degree equivalence, must pass the national Praxis examination, and must complete the required professional experience under supervision in order to be eligible for a state license. Ms. Del Mugnaio stated that the Board approves transcript evaluation services that are recognized by the National Association of Credential Education Services (NACES), an organization which examines the transcript evaluation organizations and deems the organizations credible based on a finding that the organization offers reliable and comprehensive transcript evaluation services. She stated that other licensing agencies acknowledge the oversight of the NACES in their respective licensing regulations. Ms. Del Mugnaio outlined some of the issues related to the licensing standards for foreign-educated applicants that should be further researched:

- Examining the process employed by recognized evaluation services to certify the academic and clinical equivalency of foreign-trained applicants.
- Examining whether there is an inherent conflict of interest surrounding employment placement agencies working directly with transcript evaluation services to obtain evaluation reports.
- Researching the reported communication and language issues with some foreign-educated practitioners in terms of their inability to adequately communicate and provide effective clinical services to English-speaking clients, and whether the Board should develop specific requirements for accent reduction or a communication assessment as a prerequisite for licensure.
- Examining the need and legal validity of developing an oral examination or interview before the Board where foreign education applicants would be required to demonstrate a specified level of English proficiency.
- Consideration of more rigorous supervision standards for foreign-educated applicants completing the RPE in terms of monthly progress reports or skills validation reports submitted to the Board to ensure a satisfactory level of clinical competency.
- Determining availability of accent-reduction courses or additional clinical training opportunities in professional training programs that may assist foreign-educated applicants with meeting the minimum professional standards.

Chairperson O'Connor stated that the Board will research the aforementioned issues and will discuss the findings at its October 25-26, 2007 meeting. She invited individuals to send written comments to the Board regarding the issue of professional competency of foreign-trained practitioners.

XII. Licensing/Enforcement Statistical Data

The Board reviewed the licensing and enforcement statistical data as provided in the meeting packets.

XIII. Public Comment on Items Not on the Agenda

Ms. Rosemary Scott of Pasadena City College expressed her concern regarding the proposed expansion of some of the speech-language pathology assistant (SLPA) training programs. She stated that she and others involved with SLPA training believe that the evolution of program expansion, where courses are being offered at satellite campuses with little or no administrative and student support for the SLPA training, will diminish SLPA training quality and program integrity. Ms. Scott requested that the Board examine this issue at its October Board meeting.

XIV. Announcements

Chairperson O'Connor announced that the next Board Meeting is scheduled for October 25-26, 2007, in Sacramento.

XV. Future Meetings – Establish 2008 Meeting Calendar

The Board scheduled the future 2008 meeting dates as follows: February 7-8, 2008 in San Francisco and May 22-23, 2008 in Los Angeles.

VI. Adjournment

Chairperson O'Connor adjourned the meeting at 2:40 p.m.

Annemarie Del Mugnaio, Executive Officer